



COUNTY OF
 MACCAFERRI, INC.,

COURT UNITED STATE DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

Index No. 07 civ 2988

Plaintiff(s)

M/V "MSC TASMANIA", in rem, ^{against} Mediterranean Shipping Company, S.A., GENEVA, and Tasmania S.A., in personam,

Defendant(s)

**AFFIDAVIT OF
 SERVICE OF SUMMONS
 (AND COMPLAINT)**

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at 1026 East 15th Street, Brooklyn, New York N.Y. 11230

That on April 23, 2007 at 1:54 P.M. at 420 Fifth Avenue, 8th Floor New York 10018

deponent served the within summons, and complaint on Mediterranean Shipping Company, S.A., defendant therein named,

INDIVIDUAL

☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION

☒

a Foreign corporation, by delivering thereat a true copy of each to Sergio Belli personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be General Agent-authorized thereof.

SUITABLE AGE PERSON

☐

by delivering thereat a true copy of each to to accept service a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

☐

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO
 RESIDENCE
 USE WITH 3 OR 4

☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO
 BUSINESS
 USE WITH 3 OR 4

☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
 USE WITH
 1, 2, OR 3

☐

☒ Male ☐ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.
☐ Female ☐ Black Skin ☒ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☒ 36-50 Yrs. ☐ 5'4"-5'8" ☐ 131-160 Lbs.
☒ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☒ 5'9"-6'0" ☒ 161-200 Lbs.
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

USE IN
 NYC CIVIL CT.

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
 SERVICE

☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Rolo Bh

PRINT NAME BENEATH SIGNATURE

Sworn to before me on April 27th 2007

License No. 0775226

ERNESTO V. LUZZATTO
 Notary Public, State of New York
 No. 30-821461088
 Qualified in Nassau County
 Certificate Filed in New York County
 Commission Expires May 31, 2007

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INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.